

REMARKS

Claims 1-20 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Before proceeding to the merits of the rejection, Applicant notes that it is possible that the Examiner has considered the wrong claims in the first Office Action. In particular, Applicant filed a Preliminary Amendment on May 1, 2006, which removed the multiple dependencies from the claims. However, in the rejection of claims 14 and 15 in paragraph 6 of the Office Action, the Examiner refers to claim language that still incorporates the multiple dependencies. Applicant is responding to this Office Action using the claims presented in the Preliminary Amendment. Correction of the record is respectfully requested.

The specification has been amended to include subtitles, to overcome the objection.

Claims 1 and 6 were objected to as lacking a clear preamble, transition, and body. In response, Applicant has amended claims 1-6 to place them in better form. Additionally, the term *capable of computing* in claim 6, line 5, was corrected to read "configured to compute". Withdrawal of this rejection is respectfully requested.

Claims 1-20 were rejected under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. Applicant has amended claims 1, 6, 14 and 16 to overcome this rejection. In particular, Applicant now recites in claim 1, a "method for estimating the time-dispersion of a channel in a communications system, the channel comprising computing, from a signal received over the channel in a

receiver, ... and estimating, in said receiver, the time dispersion of said channel using the calculated correlation factor C_d ." Applicant respectfully submits that this claim now comports and complies with 35 U.S.C. §101, as the claimed method is now tied to a system and apparatus. Claim 6 has been amended to depend from claim 1. Claim 6 is believed to be directed to patentable subject matter for the same reasons as discussed above with respect to claim 1, and further because it recites an input and a correlations unit, both of which are statutory subject matter in and of themselves.

Claim 14 has been amended to recite a data storage device comprising a computer readable storage medium storing computer program code instructions for executing the steps of the method according to claim 1. Applicant respectfully submits that claim 14 is now directed to patentable subject matter in that it is tied to a device and computer readable storage medium.

Claim 16 has been amended to recite a computer program stored on a computer readable storage medium, comprising computer program code instructions such that when said program is executed to control a programmable data processing device, the instructions cause the data processing device to implement a method according to claim 1. Applicant respectfully submits that this claim recites statutory subject matter because it recites a computer program stored on a computer readable storage medium and is thus tied to a device or apparatus.

If this rejection is maintained, the Examiner is requested to contact the undersigned to discuss alternative language to overcome the Examiner's concerns.

Claims 14 and 15 were rejected under 35 U.S.C. §112, second paragraph. Claims 14 and 15 were amended to overcome this rejection. Withdrawal of this rejection is respectfully requested.

Claim 6 was rejected under 35 U.S.C. § 102(e) as being anticipated by Huber et al. (U.S. Patent No. 6,618,452). Applicant has amended claim 6 to depend from claim 1. Applicant notes with appreciation the apparent indication that claims 1-5 and 7-20 are patentable over the prior art, due to the absence of a rejection of those claims over the prior art. Accordingly, Applicant respectfully submits that claim 6 is patentable over the prior art inasmuch as it depends from an allowable claim.

In view of the above amendment and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions, he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By /Ronni S. Jillions/
Ronni S. Jillions
Registration No. 31,979

RSJ:ma
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528

\\bnsbs\vol1\BN\RI\INU\Mueller2\pto\2009-04-16-Amendment\MUELLER2.doc